

Assembly Bill No. 1267

Passed the Assembly July 11, 2011

Chief Clerk of the Assembly

Passed the Senate July 5, 2011

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2011, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 2236.2 to the Business and Professions Code, relating to medicine.

LEGISLATIVE COUNSEL'S DIGEST

AB 1267, Halderman. Physicians and surgeons: certificate.

Existing law, the Medical Practice Act, provides for the licensure and regulation of physicians and surgeons by the Medical Board of California. Existing law requires that a physician and surgeon's certificate be suspended automatically when the holder of the certificate is incarcerated after a felony conviction.

This bill would require that a physician and surgeon's certificate be automatically placed on inactive status during any period of incarceration after a misdemeanor conviction. The bill would require the reason for this type of inactive status to be disclosed, as specified. The bill would require a certificate placed on inactive status to be returned by the board to its prior or appropriate status after receiving notice that the physician and surgeon is no longer incarcerated, as specified, and would require the board to adopt regulations in this regard.

The people of the State of California do enact as follows:

SECTION 1. Section 2236.2 is added to the Business and Professions Code, to read:

2236.2. (a) Notwithstanding Article 9 (commencing with Section 700) of Chapter 1 of Division 2 or any other provision of law, a physician and surgeon's certificate shall be automatically placed on inactive status during any period of time that the holder of the certificate is incarcerated after conviction of a misdemeanor.

(b) A physician and surgeon's certificate placed on inactive status pursuant to subdivision (a) shall be returned by the board to its prior or appropriate status within five business days of receiving notice that the physician and surgeon is no longer incarcerated. The board shall adopt regulations that specify the type of notice required to be submitted to the board.

- (c) The reason for the inactive status described in subdivision (a) shall be disclosed on the board's Internet Web site.

Approved _____, 2011

Governor